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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 TIMOTHY MCCARTHY III,

11 Plaintiff,

No. C 16-06782 WHA

12 v.

13 SCOTT GEIST, individually; and
14 DOES 1-50, inclusive, individually,
jointly and severally,

**ORDER GRANTING LEAVE
TO AMEND COMPLAINT**

15 Defendants.

16 Plaintiff Timothy McCarthy filed an amended complaint on June 15 against five deputies
17 and a sergeant of the Contra Costa Sheriff's Department (Dkt. No. 24). On September 22, an
18 order dismissed his claims against all but two deputies (Dkt. No. 34).

19 On October 11, plaintiff moved to file a second amended complaint that would dismiss
20 one of the two remaining deputy defendants, but otherwise leave the material allegations against
21 Deputy Scott Geist unchanged (Dkt. No. 39). The motion is unopposed and **GRANTED**. Plaintiff
22 shall file the second amended complaint by **NOVEMBER 8 AT NOON**.

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24 **IT IS SO ORDERED.**

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26 Dated: October 31, 2017.



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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE